

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-62 are pending in this case. Claims 8-11, 19-35, and 43-62 are withdrawn from further consideration. Claims 4 and 5 are amended by the present amendment. Amended Claims 4 and 5 are supported by the original claims. Amended Claims 4 and 5 add no new matter.

With regard to the withdrawal of Claims 8-11, 19-35, and 43-62, Applicant disagrees with the statement on page 2 of the outstanding Office Action that there are no allowable generic or linking claims. As identified in the Restriction Requirement of July 1, 2003, Claims 1, 2, 12, 13, 36, and 37 are generic. As discussed below, Applicant respectfully argues that Claims 1, 2, 12, 13, 36, and 37 are allowable.

The outstanding Official Action identified the previously submitted declaration as defective. The drawings were objected to for failing to comply with 37 C.F.R. §1.84(p)(5). Claims 1-3, 12-14, and 36-38 were rejected under 35 U.S.C. §102(b) as anticipated by Aoki et al. (Japanese Patent Publication No. 11-038348, herein "Aoki"). Claims 4-7, 15-18, and 39-42 were rejected under 35 U.S.C. §103(a) as unpatentable over Aoki.

The declaration previously submitted in the present case is defective for listing the incorrect application number for the Japanese patent application the present application claims priority of. Enclosed please find a supplemental application data sheet. In accordance with M.P.E.P. §601.05, a subsequent application data sheet may be submitted to correct information in a previously submitted oath or declaration. Accordingly, applicant believes that the defect in the declaration has been corrected.

Figure 1A was objected to for including a reference not mentioned in the description. Also enclosed please find a replacement drawing sheet including Figure 1A with the

reference H removed. Accordingly, the objection to the drawings is believed to have been overcome.

Claims 4 and 5 are amended to correctly depend from the apparatus recited in Claim 3.

Claims 1-3, 12-14, and 36-38 were rejected under 35 U.S.C. §102(b) as anticipated by Aoki. Applicant respectfully traverses the rejection.

Independent Claims 1, 12, and 36 recite, "the scanning image forming optical system comprising two or more special tilt surfaces, each said tilt surface formed such that a tilt amount of a sub-scanning cross-sectional configuration changes in a main scanning direction."

Aoki discloses a scanning image forming optical system for correcting the bend of a scanning line on a surface to be scanned. Aoki discloses a first embodiment comprising a *single* image forming mirror 7 having a reflection surface shown in Figure 3.¹ Aoki further discloses a second embodiment having a first element 7' and second element 8.² The surface of element 8 is shown in Figure 10 of Aoki. The applicant has reviewed the cited reference (which is applicant's own work) and has determined that Aoki does not teach an image forming optical system comprising *two or more* special tilt surfaces, as recited in Claims 1, 12, and 36. Applicant respectfully submits that element 7' in Figure 9 is not the same as element 7 in Figures 1 and 2a, and thus the surface shown in Figure 3 does not represent the surface of element 7'. Applicant respectfully submits that element 7' does not comprise a special tilt surface formed such that a tilt amount of a sub-scanning cross-sectional configuration changes in a main scanning direction. Thus, applicant respectfully submits that there is no teaching in Aoki for two or more special tilt surfaces, each said tilt surface formed such that a tilt amount of a sub-scanning cross-sectional configuration changes in a main

¹Aoki, Figures 1 and 2a.

²Aoki, Figure 9.

scanning direction, as recited in Claims 1, 12, and 36. Since Aoki does not disclose each and every element of Claims 1, 12, and 36, Claims 1, 12, and 36 are not anticipated by Aoki.

Claims 2-7 are dependent from Claim 1, which is believed to be patentable over the cited reference. Thus, Claims 2-7 are patentable over the cited reference.

Claims 13-18 are dependent from Claim 12, which is believed to be patentable over the cited reference. Thus, Claims 13-18 are patentable over the cited reference.

Claims 37-42 are dependent from Claim 36, which is believed to be patentable over the cited reference. Thus, Claims 37-42 are patentable over the cited reference.

Applicant respectfully requests that withdrawn Claims 8-11 be reinstated and allowed, as generic Claim 1, from which Claims 8-11 depend, is believed to be patentable.

Applicant respectfully requests that withdrawn Claims 19-35 be reinstated and allowed, as generic Claim 12, from which Claims 19-35 depend, is believed to be patentable.

Applicant respectfully requests that withdrawn Claims 43-62 be reinstated and allowed, as generic Claim 36, from which Claims 43-62 depend, is believed to be patentable.

Accordingly, the outstanding rejections are traversed and the pending claims are believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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